



**JIM DOYLE**  
**GOVERNOR**  
**STATE OF WISCONSIN**

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January 6, 2006

TO THE HONORABLE MEMBERS OF THE SENATE:

I am vetoing Senate Bill 171 in its entirety. This bill prohibits school boards from calling a special election to hold referenda to seek voter approval for the purpose of borrowing money or exceeding the revenue limit applicable to the school district.

Under current law, school boards must obtain, through referenda, approval of the school district's electors for either of these purposes. Referenda may be held at the next regularly scheduled primary or election held at least 45 days after adopting the borrowing resolution or at least 42 days after adopting the resolution to exceed the limit is filed. Additionally, referenda may be held at a special election. This bill prohibits a school board from calling a special election for either of these purposes, except that a special election could occur in the odd-numbered years on the second Tuesday in September and the first Tuesday after the first Monday in November. Under the bill, referenda to borrow money or exceed the revenue limit could be held on just four possible dates in any year.

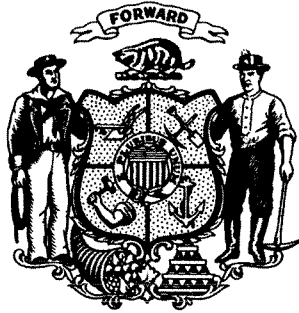
I am vetoing Senate Bill 171 because I believe it places an unnecessary and burdensome restriction on local communities. Current law already requires school boards to provide ample notice for upcoming referenda held during a special election. This bill would limit the ability of school boards to respond to emergencies or financial crises. The children in a school building where a roof collapsed should not have to wait an additional three months or more for repairs simply because the roof happened to collapse just after a regularly scheduled election.

Elected school board members are accountable to local voters. The best way to influence the scheduling of school referenda is to encourage citizens to vote for school board members who reflect their views, not by eroding local control with more state mandates.

Respectfully submitted,

JIM DOYLE  
Governor

# State of Wisconsin



2005 Senate Bill 171

Date of enactment:  
Date of publication\*:

## 2005 WISCONSIN ACT

AN ACT *to amend* 67.05 (6a) (a) 2. a. and 121.91 (3) (a) of the statutes; **relating to:** the scheduling of referenda to approve school district borrowing or exceed a school district's revenue limit.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 67.05 (6a) (a) 2. a. of the statutes is amended to read:

67.05 (6a) (a) 2. a. Direct the school district clerk to call a special election in an odd-numbered year on the 2nd Tuesday in September or on the Tuesday after the first Monday in November for the purpose of submitting the resolution to the electors for approval or rejection, or direct that the resolution be submitted at the next regularly scheduled primary or election to be held not earlier than 45 days after the adoption of the resolution. The resolution shall not be effective unless adopted by a majority of the school district electors voting at the referendum.

**SECTION 2.** 121.91 (3) (a) of the statutes is amended to read:

121.91 (3) (a) If a school board wishes to exceed the limit under sub. (2m) otherwise applicable to the school district in any school year, it shall promptly adopt a resolution supporting inclusion in the final school district budget of an amount equal to the proposed excess revenue. The resolution shall specify whether the proposed excess revenue is for a recurring or nonrecurring purpose, or, if the proposed excess revenue is for both recur-

ring and nonrecurring purposes, the amount of the proposed excess revenue for each purpose. The resolution shall be filed as provided in s. 8.37. Within 10 days after adopting the resolution, the school board shall notify the department of the scheduled date of the referendum and submit a copy of the resolution to the department. The school board shall may call a special referendum in an odd-numbered year on the 2nd Tuesday in September or on the Tuesday after the first Monday in November for the purpose of submitting the resolution to the electors of the school district for approval or rejection. ~~In lieu of a special referendum, the school board or~~ may specify that the referendum be held at the next succeeding spring primary or election or September primary or general election, ~~if such election is to be held not sooner than 42 days after the filing of the resolution of the school board.~~ The school district clerk shall certify the results of the referendum to the department within 10 days after the referendum is held.

### **SECTION 3. Initial applicability.**

(1) This act first applies to a resolution adopted under section 67.05 (6a) (a) of the statutes, or filed under 121.91 (3) (a) of the statutes, on the effective date of this subsection.

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\* Section 991.11, WISCONSIN STATUTES 2003-04 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].